

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, AUGUST 17, 1983

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, August 17, 1983 in the City Hall Council Chambers.

ROLL CALL Present: Council Members - Murphy, Pinkerton, Reid, Snider, & Olson (Mayor)

Absent: Council Members - None

Also Present: City Manager Graves, Assistant City Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney Stein, and City Clerk Reimche

INVOCATION The invocation was given by Pastor Darrel Thomas, First United Methodist Church

PLEDGE The Pledge of Allegiance was led by Mayor Olson

PRESENTATIONS Mayor Olson presented the following members of various City of Lodi Boards and Commissions Certificates of Appreciation:

CERTIFICATES Lodi's representative to the San Joaquin County Commission on Aging - Trella Arieda

Recreation Commission - Dean Devine, David Hinchman, Elvera Melby, David Reese, Dennis Swanson

Crime Awareness and Prevention Commission - Darrel Johnson

Advisory Board 49-99 Library Systems - Louise Zastrow

CONSENT CALENDAR

REPORTS OF THE
CITY MANAGER

In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Reid, Murphy second, approved the following actions hereinafter set forth.

CLAIMS CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,050,919.39

MINUTES THE MINUTES OF SPECIAL MEETING - JULY 20, 1983, REGULAR MEETING - JULY 20, 1983, ADJOURNED REGULAR MEETING - JULY 26, 1983 WERE APPROVED AS WRITTEN.

AWARD - CONTRACT City Manager Graves presented the following bids which had
TO APPLY CLASS II been received to apply Class II Slurry Seal to City Streets:
SLURRY SEAL TO
CITY STREETS

Valley Slurry Seal Co. \$16,916.15

California Pavement Maintenance \$18,446.80

On recommendation of the City Manager, Council adopted the following Resolution:

RES. NO. 83-86

RESOLUTION NO. 83-86

RESOLUTION AWARDING THE BID TO APPLY CLASS II SLURRY SEAL TO VALLEY SLURRY SEAL COMPANY, THE LOW BIDDER, IN THE AMOUNT OF \$16,916.15.

City Manager Graves presented the following bids which had been received for "Stockton Street Improvements, 1000'

Continued August 17, 1983

<u>BIDDER</u>	<u>BID</u>
Granite Construction	\$252,259.10
Frank Ferrira Paving	\$255,726.79
Claude C. Wood Co.	\$261,865.80
Teichert Construction	\$278,506.60

The breakdown of the project costs is as follows:

Parking Lot

Construction (incl. Contingencies)	\$ 96,000
Plans (Consultant)	3,000
Inspection and engineering (City)	4,000
	<hr/>
	\$ 103,000

Off-site Work

Construction (incl. contingencies)	\$ 169,000
Street & Storm Drain	\$ 122,000**
Water*	\$ 24,000
Sewer*	\$ 23,000
Electrical System	\$ 10,000
Plans (consultant)	4,000
Inspection and engineering (City)	8,000

* eligible for reimbursement agreement (50%)\$ 191,000

** \$18,000 is for street work on the east side of Stockton Street

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SALAS PARK
PARKING LOT
CONTRACT AWARDED
RES. NO. 83-87

Following recommendation of the City Manager, Council adopted Resolution No. 83-87 awarding the contract for the heretofore listed project to Granite Construction Company in the amount of \$252,259.10 and appropriated the required funds for the total project.

1047
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SPECS FOR TURF
MOWER APPROVED

Council approved the specifications for one self-contained Turf Tractor Mower, Blitzer Type, 7 Gang and authorized the Purchasing Agent to advertise for bids thereon.

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CITY ATTORNEY TO
PREPARE IMPARTIAL
ANALYSIS FOR
11/8/83 BALLOT
RES. NO. 83-88

PURSUANT TO SECTION 5011 OF THE ELECTIONS CODE OF THE STATE OF CALIFORNIA, COUNCIL ADOPTED RESOLUTION NO. 83-88 DIRECTING THE CITY CLERK TO REQUEST THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE WHICH THE COUNCIL PLACED ON THE BALLOT FOR THE NOVEMBER 8, 1983 ELECTION.

Council was apprised that this year, COG has changed the TDA claim form to include both the LTF and STA claims in one document. The City is claiming all of its STA apportionment, which will be used for our transit system, and all of the LTF apportionment which will be used for streets and roads, as well as approximately \$66,000, for the Dial-a-ride system. This year the transit system will be using an additional \$22,000 of the LTF apportionment. In past years, only \$44,000 of LTF was used for Dial-a-ride.

The LTF portion of the claim includes all of the projects which are being considered for construction during the next fiscal year. This action is not approving projects for construction; it just allows us the flexibility to use TDA funds on the projects if they are included in the City's 1984 Transportation Improvement Program (TIP). This year, the City's pedestrian/bicycle apportionment (\$9,918) will be used in conjunction with the Ham Lane Improvement Project,

Lodi Avenue to Elm Street. Ham Lane is included as a primary bicycle route in the San Joaquin County Bicycle plan, and this project meets the intent of that apportionment.

1983-84
TRANSPORTATION
DEVELOPMENT ACT
CLAIM

RES. NO. 83-89

COUNCIL ADOPTED RESOLUTION NO. 83-89 APPROVING THE CITY OF LODI'S 1983-84 TRANSPORTATION DEVELOPMENT ACT CLAIM FOR LOCAL TRANSPORTATION FUND (LTF) AND STATE TRANSIT ASSISTANCE (STA) AND AUTHORIZED THE CITY MANAGER TO EXECUTE SAME ON BEHALF OF THE CITY.

Council was apprised that in recent MOU's with the General Services Unit and Maintenance and Operators Unit, and multi-year agreements with the Electric and Police Units, the City has agreed to pay for additional dental insurance premiums.

The City has just received notification of the new dental insurance rates commencing August 1, 1983. The rates are a flat 8% increase on both the employee and dependent units.

Council is requested to authorize the following amounts to be paid by the City for dental insurance premiums:

<u>Unit</u>	<u>Premium</u>	<u>City Cost</u>	<u>Employee's Cost</u>
Management			
Employee	\$10.80	\$10.80	\$0.00
Dependent	19.01	19.01	0.00
Mid-Management			
Employee	10.80	10.80	0.00
Dependent	19.01	10.19	8.82
Utilities			
Employee	10.80	10.80	0.00
Dependent	19.01	8.18	10.83
Fire			
Employee	10.80	10.80	0.00
Dependent	19.01	8.62	10.39
Police			
Employee	10.80	10.80	0.00
Dependent	19.01	10.19	8.82
General Services			
Employee	10.80	10.80	0.00
Dependent	19.01	0.20	18.81
Maint. & Operators			
Employee	10.80	10.80	0.00
Dependent	19.01	0.20	18.81

AMENDED DENTAL
PREMIUMS APPRVD
RES. NO. 83-90

COUNCIL ADOPTED RESOLUTION NO. 83-90 APPROVING AMENDED DENTAL INSURANCE PREMIUMS AS HERETOFORE SET FORTH.

Council was informed that in the 1982-83 CIP, funds were approved for replacement of the clean-up at the Vinewood Pumping Station.

CLEANUP PUMP
REPLACEMENT AT
BECKMAN PARK
PUMPING STATION

Staff requested funds at this time because the existing pump at Beckman Park Pumping Station is encountering bearing problems and may have to be pulled in the very near future. It is also important that the City has the pump installed prior to the early winter which is expected.

Continued August 17, 1983

COUNCIL APPROVED A SPECIAL ALLOCATION IN THE AMOUNT OF \$11,000 FOR THE REPLACEMENT OF THE CLEANUP PUMP AT THE BECKMAN PARK PUMPING STATION.

21452
CITY'S PORTION
OF CURB, GUTTER,
AND PAVING AT
POST OFFICE
SITE APPROVED

COUNCIL APPROVED A SPECIAL ALLOCATION FOR THE CITY'S PORTION OF CURB, GUTTER, AND PAVING AT THE POST OFFICE SITE IN THE AMOUNT OF \$31,000.

12452
ENGINEERING &
INSTALLATION OF
PEDESTRIAN
FACILITIES AT
HAM LANE RAIL-
ROAD CROSSING

COUNCIL APPROVED A SPECIAL ALLOCATION IN THE AMOUNT OF \$5,000 TO COVER ENGINEERING AND INSTALLATION OF PEDESTRIAN FACILITIES AT THE HAM LANE RAILROAD CROSSING.

013-149
PUBLIC HEARINGS

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Olson called for the Public Hearing to consider:

a) the Lodi Planning Commission's recommendation that the Lodi City Council certify the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation for the proposed 96 unit complex for senior citizens to be located on the westerly 484.55 feet of 800 North Church Street, Lodi.

b) the Planning Commissions recommendation that the City Council amend P-D (17), Planned Development District No. 17 by increasing the density to 30 units per acre with a parking ratio of 1 to 1 to provide for a 96 unit complex for senior citizens to be located on the westerly 484.55 feet of 800 North Church Street, Lodi.

The matter was introduced by Community Development Director James Schroeder who presented diagrams of the subject area and responded to questions as were posed by the Council

The following person spoke on behalf of the matter:

a) Mr. Jerry Jones, Administrator, Arbor Convalescent Home, Lodi.

The following person spoke in opposition to the matter:

a) Louise Zastrow, 470 Daisy Avenue, Lodi

There being no other persons wishing to speak on the matter, the public portion of the hearing was closed.

A very lengthy discussion followed with questions being directed to Staff and to those persons who had given testimony.

Council Member Pinkerton asked that the record show that he doesn't feel that this is the proper place for such a project.

Following additional discussion, on motion of Mayor Pro Tempore Snider, Reid second, Council certified the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation for the proposed 96 unit complex for senior citizens to be located on the westerly 484.55 feet of 800 North Church Street, Lodi, by the following vote:

AMENDMENT TO
P-D (17) BY
INCREASING THE
DENSITY TO 30
UNITS PER ACRE
WITH A PARKING
RATIO OF 1 TO
1 TO PROVIDE
FOR A 96 UNIT
COMPLEX FOR
SENIOR CITIZENS
IN AREA OF 800
NORTH CHURCH
STREET, LODI

Ayes: Council Member - Reid, Snider, and Olson
Noes: Council Member - Pinkerton and Murphy
Absent: Council Member - None

Mayor Pro Tempore Snider then moved for introduction of Ordinance No. 1293 amending P-D (17), Planned Development District No. 17 by increasing the density to 30 units per acre with a parking ratio of 1 to 1 to provide for a 96 unit complex for senior citizens to be located on the westerly 484.55 feet of 800 North Church Street, Lodi. The motion was seconded by Council Member Reid and carried by the following vote:

ORD. NO. 1293

Ayes: Council Member - Reid, Snider, and Olson
Noes: Council Member - Murphy and Pinkerton
Absent: Council Member - None

PUBLIC HEARINGS
CONTINUED

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Olson called for the Public Hearing to consider:

The appeal of Mr. Tony Canton, c/o Bocan Construction, P. O. Box B-26, Lodi, California, of the Planning Commissions denial of his request for a zoning variance to permit the construction of a non-conforming 16 unit apartment house at the site formerly known as the Cosmopolitan Hotel at 100 East Oak Street, Lodi, in an area zoned M-1, Light Industrial.

The matter was introduced by Community Development Director Schroeder who presented diagrams of the subject area and responded to questions as were posed by Council.

The following persons addressed the Council regarding the matter:

- a) Mr. Tony Canton, c/o Bocan Construction, P. O. Box B-26, Lodi, California.
- b) Ellen Edwards, Flora Street, Lodi, California

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

APPEAL OF TONY
CANTON GRANTED
RE APARTMENT
HOUSE AT 100 EAST
OAK STREET, LODI

On motion of Mayor Pro Tempore Snider, Murphy second, Council granted the appeal of Mr. Tony Canton of the Planning Commission's denial of his request for a zoning variance to permit the construction of a non-conforming 16 unit apartment house at the site formerly known as the Cosmopolitan Hotel at 100 East Oak Street, Lodi, in an area zoned M-1, Light Industrial and established findings pursuant to Section 27-15-B-2-V of the City Code of the City of Lodi - i.e.

"to permit the reconstruction, alteration, or enlargement of a building in which a non-conforming use is conducted or the alteration or enlargement of a non-conforming use, when such changes will be of distinct benefit to the district in which such building or use is located".

PLANNING
COMMISSION
CC 35(C)

City Manager Graves gave the following report of the Planning Commission meeting of August 8, 1983:

Continued August 17, 1983

The Planning Commission -

ITEMS OF
INTEREST

1. Recommended that the Zoning Ordinance (Section 27, Lodi Municipal Code), be amended to permit, under specific conditions, construction of second living units in areas zoned R-1 and R-2, Single-Family Residential.

2. Recommended the approval of the request of Wayne Craig, c/o Moss, Craig and Wiggins, Commercial Real Estate, on behalf of Guarantee Savings and Loan to amend P-D (15), Planned Development District No. 15 so that the parcel at 1300 West Kettleman Lane conforms to the C-S, Commercial Shopping District rather than the R-C-P, Residential-Commercial-Professional District.

Recommended that the City Council certify the filing of a Negative Declaration by the Community Development Director, as adequate environmental documentation on this project.

3. Recommended approval of the request of Dennis G. Bennett to rezone the parcel at 1902 South Church Street from P-D (22), Planned Development District No. 22 to R-MD, Medium Density Multiple Family Residential.

Recommended that the City Council certify the filing of a Negative Declaration by the Community Development Director, as adequate environmental documentation on this project.

MATTERS SET FOR
PUBLIC HEARING

On motion of Council Member Murphy, Reid second, items 1, 2, and 3 heretofore set forth were set for Public Hearing at 8:00 p.m., on September 7, 1983.

PLANNING
COMMISSION

The Planning Commission also -

ITEMS OF
INTEREST

1. Conditionally approved the request of Wayne Craig, c/o Moss, Craig and Wiggins, Commercial Real Estate on behalf of Guarantee Savings and Loan for a Tentative Parcel Map to create Parcel "A" containing 0.56 acres, and Parcel "B" containing 0.70 acres from 1300 West Kettleman Lane in an area zone P-D (15), Planned Development District No. 15.

2. Conditionally approved the request of Howard Arnaiz for a Tentative Parcel Map in the Mokelumne Village Subdivision to accomplish the following: (1) add 10 feet to the easterly end of Lots 11 and 12; (2) create Parcel "F" from a portion of the upland area of Lot 20; and (3) add Mokelumne River access to Lots 26-32.

Certified the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on this project.

3. Were unable to take action on the request of Howard Arnaiz for the approval of a Tentative Parcel Map to create Parcels "A", "B", "C", "D" and "E" from the "Scenic Overlook" property acquired from the City of Lodi because:

- a. the creation of Parcels "A" through "E" constitutes a subdivision under both state and local laws and, therefore, the subdivision map procedures should be followed; and
- b. at the time the City Council sold the "Scenic Overlook" parcel, the City retained a portion of the area needed for a cul-de-sac at the north end of Awani Drive and required the developer to construct said cul-de-sac. This area must be abandoned before Mr. Arnaiz could go forward with his present plans.

COMMUNICATIONS

CITY CLERK

City Clerk Reimche presented a letter from Len Simon, Assistant Executive Director, United States Conference of Mayors presenting a legislative update with additional information pertaining to S.66.

LEGISLATIVE
UPDATE RECEIVED

ABC LICENSES

Application for the following Alcoholic Beverage License was received:

- a) Slaton, Billie J/Floyd D.
110 N. Cherokee Lane
Lodi, California
On sale general eating place

CLAIMS

City Clerk Reimche presented a letter from R. L. Kautz and Company, the City's Contract Administrator recommending that the City Council deny the following claim:

Thomas McKellips, DOL 10/30/81

On motion of Council Member Pinkerton, Murphy second, Council denied the claim and referred same back to R. L. Kautz and Company, the City's Contract Administrator.

COMMENTS BY
CITY COUNCIL
MEMBERSAPPOINTMENT MADE
TO SPARC

Mayor Olson, with the concurrence of the City Council, on motion of Council Member Reid, Murphy second, appointed Mike Locke to the City of Lodi Site Plan and Architectural Review Committee for a 4 year term expiring June 30, 1987.

LODI CABLE
TELEVISION -
DISCUSSION

Council discussed complaints members of the Council had been receiving regarding recent Lodi Cable TV programming changes. Following an inquiry from Mayor Pro Tempore Snider, City Attorney Stein advised the Council that it (the Council) had no authority to determine programming on Lodi Cable Television.

ZONING ORDINANCE
REVIEW REQUESTED

Following introduction of Council Member Murphy, Mayor Olson asked that a future Shirt Sleeve Session (Informal Informational Meeting) be set aside for a review of the zoning ordinance by Community Development Director Schroeder.

COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMSCOUNCIL INVITED
TO PARTICIPATE
IN MEMBERSHIP
DRIVES FOR CITY
OF LODI SISTER
CITY COMMITTEE

Former Mayor/Sister City Committee Chairman James Culbertson addressed the Council asking that the City Council participate at Field and Fair Day and at the Lodi Grape and National Wine Show in an effort to solicit additional members for the City of Lodi Sister City Committee.

REPORTS OF THE
CITY MANAGER

REGULAR CALENDAR

Council was apprised that the City contracted with the Richter Group to conduct a feasibility study of the City owning its own telephone system. That report was presented to Council in the Spring, and that report indicated the City could expect to save \$354,348 over a 10-year period on a lease/purchase arrangement, and \$671,233 on an outright purchase. Council then approved the Richter Group to prepare plans and specifications for a telephone system.

Continued August 17, 1983

PLANS AND SPECS
FOR TELEPHONE
SYSTEM APPROVED

Funds have not been allocated for this project, however, there are sufficient unallocated funds in Revenue Sharing to cover the costs of this project. When the final bids are received and a contract awarded, we will recommend a funding plan to Council.

Following discussion, on motion of Mayor Pro Tempore Snider, Reid second, Council approved the plans and specifications for a telephone system, and authorized the Purchasing Agent to advertise for bids thereon.

The following items pertaining to NCPA were introduced by City Manager Graves. The items were then reviewed by Mr. Dave Curry, Utility Director for the City of Lodi who responded to questions as were posed by the City Council. Each of these items was also reviewed in depth at an earlier Informal Informational Meeting.

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CC 199
02-25
NCPA GEOTHERMAL
PROJECT NO. 3
THIRD PHASE
AGREEMENT

a) Agenda Item K-2 - Approve NCPA Geothermal Project No. 3 Third Phase Agreement.

TRANSMISSION
PROJECT THIRD
PHASE AGREEMENT

b) Agenda Item K-3 - Approval of Transmission Project Third Phase Agreement.

AGREEMENT FOR
FINANCING OF
PLANNING AND
DEVELOPMENT
ACTIVITIES FOR
CONSTRUCTION OF
COMBUSTION TURBINE
GENERATING
FACILITIES

c) Agenda Item K-4 - Approval of Agreement for Financing of Planning and Development Activities for construction of Combustion Turbine Generating Facilities (Second Phase)

A lengthy discussion regarding each item followed with questions being directed to Staff.

ORD. NO. 1294
INTRODUCED

Council Member Reid then moved for introduction of Ordinance No. 1294 approving the terms and conditions of a Member Agreement between Northern California Power Agency and certain participating members and authorizing the execution of and delivery of said Agreement by Officers of the City of Lodi. NCPA Geothermal Project No. 3 - Third Phase Agreement. Further, Council amended the City's percentage participation to 6%. The motion was seconded by Mayor Pro Tempore Snider and carried by the following vote:

Ayes: Council Members - Murphy, Reid, Snider, and Olson (Mayor)

Noes: Council Members - Pinkerton

Absent: Council Members - None

ORD. NO. 1295
INTRODUCED

Council Member Reid then moved for introduction of Ordinance No. 1295 approving the terms and conditions of a Member Agreement between Northern California Power Agency and certain participating members and authorizing the execution of and delivery of said Agreement by Officers of the City - Agreement for Construction, Operation, and Financing of Transmission project Number One. The motion was seconded by Mayor Pro Tempore Snider, and carried by the following vote:

Ayes: Council Members - Murphy, Reid, Snider, and Olson (Mayor)

Noes: Council Members - Pinkerton

RES. 83-91

On motion of Council Member Reid, Snider second, Council adopted Resolution No. 83-91 approving the Agreement for Financing of Planning and Development Activities for Construction of Combustion Turbine Generating Facilities (Second Phase) and authorized the Mayor and City Clerk to execute the document on behalf of the City.

COUNCIL MEMBER
REID IS EXCUSED
FROM MEETING

With the permission of Mayor Olson, Council Member Reid left the meeting at approximately 10:20 p.m.

City Manager Graves presented a letter from Mr. Al Bechthold dated May 12, 1983 requesting to renegotiate the existing lease on the White Slough property which terminates November 1, 1983.

RENEGOTIATION OF
WHITE SLOUGH
LEASE AGREEMENT
WITH MR. AL
BECHTHOLD

Council was apprised that Mr. Bechthold has been an excellent lessee the past ten (10) years, and has made many permanent improvements to the City property, such as nine (9) miles of new fencing and 14 permanent gates. He has been considerably handicapped over the past three (3) winters due to flooding of some 175 acres of the 434 presently leased. Mr. Bechthold has assisted City staff members in requesting the State of California to cease and desist the annual threatening flood waters.

The City's major concern is to lease to a party who will be able to work with us in using the plant effluent for irrigation at those times that it must be released. We have an excellent working relationship with Mr. Bechthold, and he has cooperated and worked with us in every way possible. Mr. Bechthold is considered an exceptional lessee.

This item is brought to the Council to consider authorizing the City staff to start negotiating for a new lease agreement. It is felt that it is in the City's best interest to negotiate with Mr. Bechthold now in order that a new agreement can be approved prior to November 1983. This would allow Mr. Bechthold to continue to make permanent improvements to our property and would assure us of a lessee whom we know can work with us under the terms of the agreement.

Following discussion, on motion of Mayor Pro Tempore Snider, Murphy second Council authorized Staff to commence re-negotiations of the lease agreement on the White Slough property with the present lessee, Mr. Bechthold.

PROPOSED REVISED
JOINT POWERS
AGREEMENT AND
BY-LAWS FOR SAN
JOAQUIN COUNTY
COUNCIL OF
GOVERNMENTS

Following introduction of the matter by City Manager Graves, Mr. Peter D. VerDoorn, Executive Director for the San Joaquin County Council of Governments addressed the Council regarding the proposed revised Joint Powers Agreement and By-Laws for the San Joaquin County Council of Governments. Copies of the proposed revised documents were presented for Council's perusal.

A lengthy discussion followed with questions being directed to Mr. VerDoorn.

On motion of Council Member Murphy, Snider second, Council indicated its concurrence in amending the representation in the San Joaquin County Council of Governments as follows:

County and City of Stockton - Each to have three representatives

City of Lodi - To have two representatives

Cities of Escalon, Manteca, Ripon and Tracy - Each to have one representative.

Continued August 17, 1983

STOCKTON STREET
(STADIUM PARKING
LOT) IMPROVEMENTS
700' NORTH
LAWRENCE AVENUE
RES. NO. 83-92

Following introduction of the matter by Staff, discussion and questions being directed to Staff, Council, on motion of Mayor Pro Tempore Snider, Olson second, adopted Resolution No. 83-92 awarding the contract for Stockton Street (Stadium Parking Lot Improvements) to Claude C. Wood Company and giving Staff the authority to negotiate out certain segments of the subject bid. The recap of bids received is as follows:

<u>BIDDER</u>	<u>BASE BID</u>	<u>ADDITIONAL BID</u>
Claude C. Wood	\$127,777.60	\$ 43,017.50
Frank Ferreira Paving	\$139,809.41	\$ 41,632.43
Pacific Asphalt	\$141,154.00	\$ 35,832.00
Granite Construction	\$142,752.00	\$ 41,477.85
Teichert Construction	\$155,878.00	\$ 39,366.50
Stanfield & Moody	\$163,520.00	\$ 52,568.00

Following recent testimony from the following residence in the area of the Stadium parking lot, Council took the hereinafter set forth action:

- a) Robert North, 601 Calaveras Street, Lodi
- b) Mrs. Robert North, 601 Calaveras Street, Lodi
- c) Mrs. Buena Dickten, 607 Calaveras Street, Lodi
- d) Mrs. Harry Adams, 531 Calaveras Street, Lodi

On motion of Mayor Pro Tempore Snider, Olson second, Council determined that property owners who have, over the years, installed gates opening onto the Stadium parking lot would no longer have this access once the subject improvements approved in Resolution No. 83-92 have been made.

RECESS

Mayor Olson declared a five-minute recess and the meeting reconvened at approximately 11:25 p.m.

EMPLOYEE
ASSISTANCE
PROGRAM APPROVED

RES. NO. 83-95

Following introduction of this matter by City Manager Graves and a review of the background information as provided by Barbara Y. Akk and Associates, Council, on motion of Mayor Pro Tempore Snider, Olson second, adopted Resolution No. 83-95 approving the establishment of a pilot program - for an Employee Assistance Program, approving the proposed Agreement with the Family Services Agency to provide counseling under such a program, effective October 1, 1983 through September 30, 1984 at a cost of approximately \$13,000.00 and authorizing the City Manager and City Clerk to execute the Agreement on behalf of the City.

Council was reminded that following the recent program audit of the City of Lodi's liability program conducted by Barbara Akk and Associates, it was agreed that it would be appropriate for the City to engage in a claims administrator selection process and a program has been initiated to prepare request for proposals and the subsequent evaluation and rating of potential claims administrators submitting proposals.

The requests for proposals were mailed out August 9, 1983. It has been requested that all proposals be returned no later than September 1, 1983 for evaluation and rating, and it is anticipated that a recommendation will be made to the City Council at its September 21, 1983 regular meeting with a commencement date of service to be October 1, 1983.

The City's existing resolution extends the following monetary authority to settle liability claims:

- a) \$5,000.00 blanket authority to the Administrative Staff and \$1,000.00 to R. L. Kautz and Company.
- b) Claims in excess of \$5,000.00 to be brought to the City Council for approval.

The City has just been advised by R. L. Kautz and Company the City's current contract administrator that they are going out of the business in Northern California and asking permission to assign the City's account to another firm (George Hills and Company).

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112
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AUTHORITY TO
SETTLE LIABILITY
CLAIMS TO A
SPECIFIED LIMIT
FOR R. L. KAUTZ
RESCINDED

RES. NO. 83-96

112
01 300
1983-84 TAX RATE
FOR CITY OF LODI
SET

RES. NO. 83-94

Following discussion, Council, on motion of Council Member Murphy, Snider second, adopted Resolution No. 83-96 approving the assigning of the City's account by R. L. Kautz and Company to George Hills and Company for an interim period (to September 30, 1983) and rescinding an existing Resolution authorizing authority to settle liability claims to a specified limit to R. L. Kautz.

Following introduction of the matter by City Manager Glaves, Council, on motion of Council Member Pinkerton, Murphy second, adopted Resolution No. 83-94 fixing the Tax Rate for the City of Lodi for Fiscal Year 1983-84

Council was apprised that at the last regular Planning Commission meeting, on August 8, 1983, Mr. Howard Arnaiz asked the Planning Commission to approve a Parcel Map which did not include the required cul-de-sac at the north end of Awani Drive. The Planning Commission indicated to Mr. Arnaiz that they could take no action unless the City Council changed their position on the need for the cul-de-sac and officially abandoned the public right-of-way.

A letter from the Sanguinetti & Arnaiz Development Company, Inc., requesting the City Council to abandon the unimproved public right-of-way located at the north end of Awani Drive was presented for Council's perusal. Awani Drive is located in the Mokelumne Village subdivision.

The unimproved cul-de-sac right-of-way fronts the City's old dumpsite (SOL) which was purchased by Howard Arnaiz in July 1982. A copy of the bidding documents which clearly indicates on page 3 that the new owner of the property (Howard Arnaiz) is responsible for the completion of the cul-de-sac at the end of Awani Drive was presented for Council's perusal. Mr. Arnaiz's bid transmittal indicating that his bid is being submitted in accordance with the conditions contained in the bidding document was also presented. Also presented was a copy of the plot plan that went with the bidding documents to show the bidders the exact parcel which they were acquiring and that the parcel did not include the future cul-de-sac right-of-way. It is felt that there is no question that Mr. Arnaiz purchased the City property knowing full well that he would have to construct a standard City cul-de-sac at the end of Awani Drive. It was made very clear to all parties bidding on the City's SOL that it would be their responsibility to construct the cul-de-sac improvements. If the Council now changes that requirement, then there is a real question whether that is fair to the other bidder. The estimated cost of the improvements is approximately \$15,000. If this change was made prior to the bidding, it certainly appears that the bids the City received may have been \$15,000 higher.

Based on what Mr. Arnaiz wants to do with the property, the Public Works Department has provided him with two other alternates which provide for standard street terminations, which would provide nearly the same development concept.

The Public Works and Community Development Departments feel very strongly that the City should not allow any substandard street terminations in Lodi. It is recommended that the City council not change the conditions of the SOL sale and that the subject public right-of-way not be abandoned.

Mr. Howard Arnaiz, President of Sanguinetti and Arnaiz Development addressed the Council regarding this matter and responded to questions as were posed by the Council.

ABANDONMENT OF
AWANI DRIVE

A very lengthy discussion followed with questions being directed to Staff and again to Mr. Arnaiz.

RES. NO. 83-93

On motion of Council Member Pinkerton, Snider second, Council adopted Resolution No. 83-93 indicating its intention to abandon a portion of Awani Drive. The motion carried by the following vote:

Ayes: Council Members - Pinkerton, Snider, and Olson
(Mayor)

Noes: Council Members - Murphy

Absent: Council Members - Reid

AGREEMENT WITH
SAN JOAQUIN
COUNTY FOR
CERTAIN SERVICES
FOR 11/8/83
ELECTION

Following introduction of the matter by City Clerk, Council, on motion of Mayor Pro Tempore Snider, Olson second, adopted Resolution No. 83-97 approving a Contract with the County Clerk's Office for certain services involved in the 11/8/83 County-Wide Consolidated Election.

RES. NO. 83-97

ORDINANCES

PREZONING OF
SUNWEST IV
APPROVED

Ordinance No. 1292 - An Ordinance prezoning Sunwest IV, a 52.6 acre mixed Residential or Residential-Institutional Project proposed for the east side of Lower Sacramento Road, Lodi, one-quarter mile north of Kettleman Lane, Lodi, California to P-D (25), Planned Development District No. 25 with the following conditions having been introduced at a regular meeting of the Lodi City Council held August 3, 1983 was brought up for passage on motion of Council Member Pinkerton, Murphy second. Second reading of the Ordinance was then omitted after reading by title, and the Ordinance was then adopted and ordered to print by the following vote:

a) that the single-family areas in the project conform to the City's R-1, Single-Family Residential District;

b) that the cluster homes development be limited to 15 units per acre and conform to the City's R-GA, Garden Apartment Residential District.

